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# ALSTON&BIRD LLP

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Guy R. Gosnell	
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Application No. 10/006,000 Filed December 3, 2001	
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CLT01/-1758365v1

Date:

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:

10/006,000

Confirmation No.: 2953

Filed:

Applicant(s): Mithra M.K.V. Sankrithi December 3, 2001

Art Unit:

3764

Examiner:

Stephen R. Crow

RECEIVED CENTRAL FAX CENTER

T-497 P.002/002 F-340

Title:

SEATING AND TREADMILL EXERCISE DEVICE

OCT 2 1 2005

Docket No.: 038190/235693 Customer No.:

00826

Commissioner for Patents

P.O. Box 1450

Mail Stop AF

Alexandria, VA 22313-1450

#### NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated April 21, 2005, rejecting the following Claims ??. The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed. Applicant claims small entity Status. A check is enclosed. (\$500.00 for large entity fee or \$250.00 if small entity status) Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee. 冈  $\boxtimes$ Any additional fee or refund may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Registration No. 34,61

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.

A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Gwen Prickhoeffer

October 21, 2005

Date

CLT01:1758323v1